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TRANSMITTAL OF APPEAL BRIEF (Large Entity)

Docket No.
BKA.0010US

In Re Application Of: Jonathan E. Lowthert, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/766,125	January 19, 2001	Usha Raman	21906	2623	9472

Invention: Content with Advertisement Information Segment



COMMISSIONER FOR PATENTS:

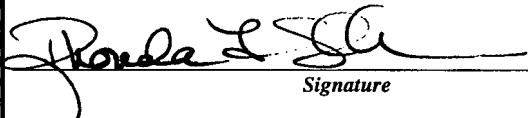
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March 20, 2007

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:
Jonathan E. Lowthert, et al.

Serial No.: 09/766,125

Filed: January 19, 2001

For: Content with Advertisement
Information Segment

§ Art Unit: 2623
§ Examiner: Usha Raman
§ Atty Docket: BKA.0010US
§

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REAL PARTY IN INTEREST

The real party in interest is the assignee BlackArrow, Inc.

RELATED APPEALS AND INTERFERENCES

None.

STATUS OF CLAIMS

Claims 1-61 (Canceled).

Claims 62-90 (Rejected).

Claims 62-90 are rejected and are the subject of this Appeal Brief.

STATUS OF AMENDMENTS

All amendments have been entered.

SUMMARY OF CLAIMED SUBJECT MATTER

In the following discussion, the independent claims are read on one of many possible embodiments without limiting the claims:

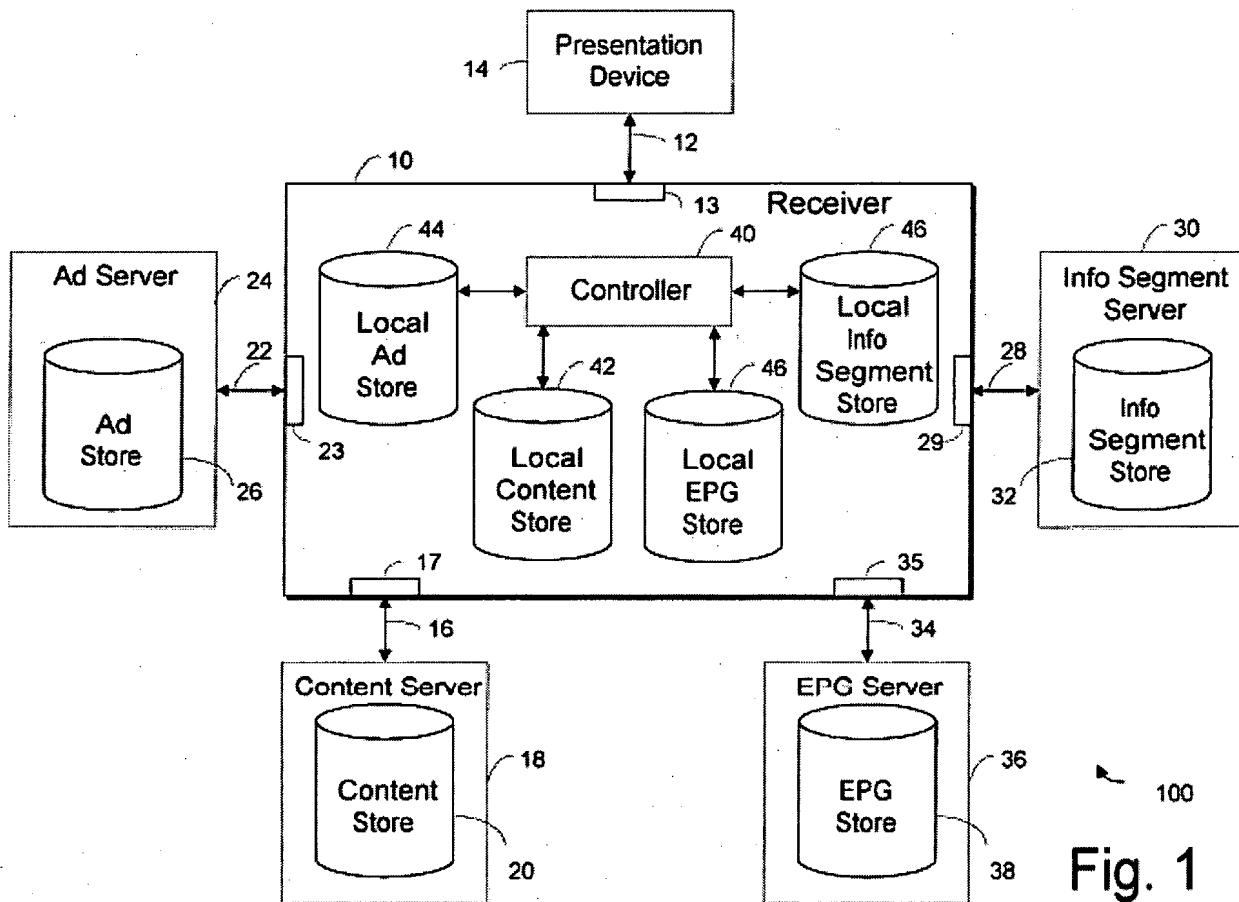


Fig. 1

62. A system comprising:
a transmitter (see, e.g., specification, page 4, lines 16-17, page 9, lines 21-30; Fig. 1 at 28 and 30; Fig. 11 at 87) to transmit an info segment including a content identifier to specify one particular content item (see, e.g., specification, page 8, lines 24-27; Fig. 8 at 52 and 53) said info segment also including an interruption point specifier to identify a condition that, if detected during the display of the particular content item, will cause the display of an advertisement to replace the display of said one particular content item, wherein prior to a use of the particular content item, the place in the content where the replacement might happen, as a result of the

detection of the condition during use of said one particular content item, is not known (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58); and

a storage to store said info segment until said info segment is transmitted to a receiver (*see, e.g.*, specification, page 9, lines 21-30; Fig. 1 at 32; Fig. 11 at 85).

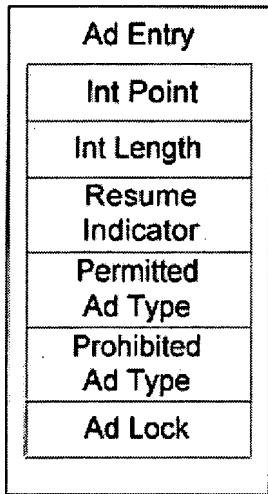


Fig. 4

63. The system of claim 62 wherein said storage to store an info segment including a plurality of fields, one field comprising said interruption point specifier, another field selected from the group consisting of a maximum interruption length specifier, a resume indicator, a permitted ad type specifier, a prohibited ad type specifier, and an ad lock (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58); and

said transmitter to transmit said info segment separately from said particular content item (*see, e.g.*, specification, page 4, lines 20-24; Fig. 1 at 16, 18, 28, and 32).

64. The system of claim 62 wherein said storage to store an electronic programming guide having a program identifier and an associated info segment (*see, e.g.*, specification, page 8, lines 18-23; Fig. 1 at 100).

65. The system of claim 62 wherein said system is a television broadcaster (*see, e.g.*, specification, page 4, lines 5-9, page 11, lines 18-21; Fig. 1 at 100).

67. The system of claim 62 wherein said transmitter to transmit said info segment to said receiver without a request (*see, e.g.*, specification, page 9, lines 28-30; Fig. 11 at 87).

69. The system of claim 68 including an ad entry generator to insert said interruption point specifier in said info segment as an ad entry parameter, and to insert another ad entry parameter selected from the group consisting of a maximum interruption length specifier, a resume indicator, a permitted ad type specifier, a prohibited ad type specifier, and an ad lock (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58).

71. A method comprising:

associating one info segment with one particular content item (*see, e.g.*, specification, page 8, lines 24-27; Fig. 8 at 52 and 53);

associating an interruption point indicator with said one info segment, the interruption point indicator to indicate a condition that, if satisfied, will cause an advertisement to be displayed in place of said one particular content item, the placement of any advertisement due to the satisfaction of said condition during play of said one particular content item not predetermined when said interruption point indicator is associated with said one info segment (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58); and

delivering said info segment together with said interruption point indicator to a receiver (*see, e.g.*, specification, page 4, lines 16-17, page 9, lines 21-30; Fig. 1 at 28 and 30; Fig. 11 at 87).

73. The method of claim 71 including inserting an ad entry in said info segment, said ad entry including said interruption point indicator and another ad entry parameter selected from the group consisting of a maximum interruption length specifier, a resume indicator, a permitted ad type specifier, a prohibited ad type specifier, and an ad lock (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58).

75. The method of claim 71 including pushing said info segment to a receiver (*see, e.g.*, specification, page 9, lines 28-30; Fig. 11 at 87).

76. The method of claim 71 wherein delivering said info segment includes transmitting said info segment over an airwave (*see, e.g.*, specification, page 4, lines 5-9, page 11, lines 18-21; Fig. 1 at 100).

78. The method of claim 71 wherein delivering said info segment includes delivering said info segment on a recordable medium (*see, e.g.*, specification, page 10, line 27-page 11, line 8; Fig. 4).

79. A computer-readable medium storing instructions that are executed to enable a system to:

associate an info segment with a content item (*see, e.g.*, specification, page 8, lines 24-27; Fig. 8 at 52 and 53);

associate an interruption point indicator with said info segment, the interruption point indicator to identify a condition that is detectable during use of said content item and if detected will cause an advertisement to be displayed, otherwise, if the condition is not detected no advertisement will be displayed, the point at which any advertisement is displayed due to the detection of the condition unknown prior to the use of the content item (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58); and

deliver said info segment including said interruption point indicator to a receiver (*see, e.g.*, specification, page 4, lines 16-17, page 9, lines 21-30; Fig. 1 at 28 and 30; Fig. 11 at 87).

81. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to insert an ad entry in said info segment, said ad entry including said interruption point indicator and another ad entry parameter selected from the group consisting of a maximum interruption length specifier, a resume indicator, a permitted ad type

specifier, a prohibited ad type specifier, and an ad lock (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58).

84. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to transmit said info segment over an airwave (*see, e.g.*, specification, page 4, lines 5-9, page 11, lines 18-21; Fig. 1 at 100).

86. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to write said info segment on a transferable, recordable medium (*see, e.g.*, specification, page 10, line 27-page 11, line 8; Fig. 4).

87. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to associate an interruption point indicator that identifies a play-specific condition with said info segment (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58).

88. The system of claim 62 wherein said transmitter is to transmit an info segment including an interruption point specifier to identify a user-initiated pause as said condition (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58).

90. The method of claim 71 wherein associating an interruption point indicator with said one info segment includes associating an interruption point indicator that indicates that a user-initiated pause is said condition with said info segment (*see, e.g.*, specification, page 5, line 16-page 7, line 27; Fig. 4; Fig. 9 at 58).

At this point, no issue has been raised that would suggest that the words in the claims have any meaning other than their ordinary meanings. Nothing in this section should be taken as an indication that any claim term has a meaning other than its ordinary meaning.

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

- A. Whether claims 62-63, 65-66, 68-74, 77, and 79-90 are unpatentable under 35 U.S.C. § 103(a) over Knepper (US 2001/0042249) in view of Rosenberg (US 2002/0100041).**
- B. Whether claims 64, 67, 75-76, and 78 are unpatentable under 35 U.S.C. § 103(a) over Knepper (US 2001/0042249) in view of Rosenberg (US 2002/0100041) and further in view of Zigmond (US 6,698,020).**

ARGUMENT

A. Are claims 62-63, 65-66, 68-74, 77, and 79-90 unpatentable under 35 U.S.C. § 103(a) over Knepper (US 2001/0042249) in view of Rosenberg (US 2002/0100041)?

1. Claims 62, 66, 68, 70, 71, 72, 74, 77, and 88

Independent claim 62 is not obvious over Knepper in view of Rosenberg. To establish *prima facie* obviousness the prior art must teach or suggest all claim limitations. The prior art that the examiner relies on to reject claim 62 includes Knepper and Rosenberg. It is respectfully submitted that the examiner has not demonstrated that Knepper in view of Rosenberg teaches or suggests every limitation of claim 62.

Independent claim 62 recites, a transmitter to transmit an info segment including a content identifier to specify one particular content item, said info segment also including an interruption point specifier to identify a condition that, if detected during the display of the particular content item, will cause the display of an advertisement to replace the display of said one particular content item, wherein *prior to a use of the particular content item, the place in the content where the replacement might happen, as a result of the detection of the condition during use of the one particular content item, is not known.*

The examiner concedes that Knepper does not disclose the detection of a condition during playback to determine the placement of an ad. Paper No.20061124, page 3. But the examiner asserts that Knepper discloses an interruption point specifier that causes the display of an advertisement to replace the display of one particular content item such that *the place in the content where the replacement might happen during use of the particular content item is not known.* *Id.* at page 2. This assertion is respectfully traversed—according to Knepper, the placement of all advertisements within a given show is known before the client plays the show.

This is best demonstrated by Knepper's Fig. 3. For example, referring to Fig. 3, a user requests a show and then the client receives an instruction set for the requested show from a server. *See Fig. 3 at 262 and 268; see also [0034].* Generally, a show includes two types of media files, entertainment media files and advertisement media files. The instruction set lists the order of the entertainment files and advertisement files to make up the requested show. *Id.*

The instruction set may be modified, for example, by inserting random advertisements into the show. *See, e.g.*, [0037]; Fig. 3 at 294. If random ads are inserted, a play list (*e.g.*, modified instruction set) is created with the random ads included in the listing. Fig. 3 at 296. It is only after the play list with the random ads is created and all of the necessary media files are resident at the client that the client assembles the entertainment media files and the advertisement media files (random or not) according to the modified instructions set. *See, e.g.*, [0037]; Fig. 3 at 280, 284, 288. In other words, the client plays back the media files in the new order listed in the modified instruction set. Thus, in Knepper, the exact placement (insertion) of advertisement media files within a show is known before the entertainment media files and advertisement media files are assembled for playback regardless of whether an advertisement is randomly inserted or not.

This understanding of Knepper is consistent with his discussion of ads that may be placed randomly within a show. Specifically, there are two ways to place advertisements in a show: 1) a content provider can specify which clips can be preceded or followed by an ad, or 2) the ads may be placed randomly within a show. [0080]. In other words, a particular advertisement media file may be randomly placed in the lineup of entertainment and advertisement media files that create a show so that the user does not experience identical advertisement placement with repeated viewings of the show. [0084]. Nevertheless, the exact placement of the advertisement is predetermined so that the files can be properly assembled per the modified instruction set before the show is played back. Thus, regardless of whether ad placement is specific or random, a show is constructed by *arranging media files in a particular order* before the show is played. [0080]. Because Knepper's instruction set indicates the exact placement of both types of media files within a show before the show's files are assembled for play, Knepper does not teach or suggest replacing content with an advertisement where the place in the content where the replacement might occur *during the use* of the content is unknown. For at least this reason, *prima facie* obviousness has not been established.

Furthermore, according to the examiner's analysis, Knepper does not teach the claimed interruption point specifier. For example, in the Office action the examiner asserts that Knepper's EADOK and EMAXAD tags read on the claimed interruption point specifier. This assertion is traversed. The tags EADOK and EMAXAD are meta tags in a "show section" of an

HTML instruction set that indicate whether advertisement media files are allowed in the show and the maximum number of ads that can appear in the show respectively. These tags do not actually *cause* an advertisement to be inserted into a show—the instruction set includes other tags that indicate the actual sequence or order of file assembly. Because the EADOK and EMAXAD tags do not read on the claimed interruption point specifier, *prima facie* obviousness has not been established.

Furthermore, the examiner has not established *prima facie* obviousness because Rosenberg is not believed to be prior art. In the Office action, the examiner cites to paragraph [0009] of Rosenberg. This paragraph, however, does not appear to have support in the provisional applications from which it claims priority. This is significant because Rosenberg's non-provisional application was filed after the present inventor's application and therefore qualifies as prior art only under § 102(e). The § 102(e) date of an application publication is the filing date of a provisional application from which it claims priority only *if* the provisional application properly supports the subject matter relied upon to make the rejection in compliance with 35 U.S.C. § 112 paragraph 1. MPEP § 2136.03 (III). As neither summary section of the provisional applications includes the same paragraph nine that is found in Rosenberg's patent application publication the subject matter relied upon by the examiner to make the rejection is not believed to be prior art, which precludes a finding of obviousness.

Even if Rosenberg is prior art, which it is not, there is no suggestion or motivation to modify Knepper in view of Rosenberg. Namely, Rosenberg is specific in his provisional applications that any ad that appears upon pressing Pause is a static bit map. *See* provisional applications, page 22. In contrast, Knepper is directed toward alternatives to traditional streaming methods. *See, e.g.*, [0002]; [0008]. Therefore, there is no reason to modify Knepper in view of Rosenberg as Knepper is directed toward alternatives to traditional streaming and can only play media files as directed from a predetermined listing of files.

Because Knepper in view of Rosenberg does not teach or suggest every limitation of independent claim 62 or claims dependent thereon, and because there is no reason to modify the reference teachings, reversal of each rejection is requested.

Under a similar analysis, *prima facie* obviousness has not been established for independent claim 71 and claims dependent thereon.

2. Claims 79, 80, 82, and 83

For at least the reasons outlined above in the Arguments Section A. 1. of this brief, *prima facie* obviousness has not been established for independent claim 79 and claims dependent thereon.

Furthermore, to reject claim 79, the examiner cites to paragraph [0116] in the Rosenberg patent application publication. But § 112, first paragraph support for this paragraph could not be found in the provisional applications from which the Rosenberg application claims a benefit. Unless the provisional applications provide this support, Rosenberg is not prior art. Accordingly, reversal of the rejections is requested.

3. Claim 63

Prima facie obviousness has not been established for claim 63. Specifically, claim 63 indicates that the info segment includes a plurality of fields, one field is the interruption point specifier, and another field may be a permitted ad type specifier or a prohibited ad type specifier.

According to the analysis in the Office action, the claimed info segment is taught by Knepper's instruction set and the claimed interruption point specifier is taught by Knepper's EADOK and EMAXAD tags. Paper No. 20061124, page 2. According to additional analysis, it is asserted that ratings and associations, as taught by Knepper, teach a permitted ad type specifier and a prohibited ad type specifier respectively. *Id.* at page 3. But the ratings associations have nothing to do with Knepper's instruction set; rather, a rating may be a rule set for the ad in a text file for the ad and associations are part of the entertainment media files. *See* Fig. 7 at 609; [0061]; [0072]. Thus, neither the cited ratings nor the cited associations are fields within Knepper's instructions set. For this reason, *prima facie* obviousness has not been established for claim 63. Reversal of the rejection is requested.

4. Claim 69, 73, and 81

Prima facie obviousness has not been established for claims 69, 73, and 81. Claim 69 is similar to claim 63 in that it indicates that the info segment includes an interruption point specifier, and perhaps a permitted ad type specifier or a prohibited ad type specifier. Claim 69 differs in that it calls for an ad entry generator to insert the interruption point specifier in the info segment as an

ad entry parameter. The ad entry generator may also insert another ad entry parameter such as a permitted ad type specifier or a prohibited ad type specifier.

As is explained above with respect to claim 63, the associations 609 taught by Knepper are not included in his instruction set. Thus, it is submitted that the examiner's argument that Knepper inherently comprises the claimed ad entry generator fails as Knepper's associations are not inserted in his instruction set.

Under a similar analysis, claims 73 and 81 are not obvious over Knepper in view of Rosenberg.

5. Claims 65 and 84

Claim 65 indicates that the system of claim 62 is a television broadcaster. The examiner takes official notice that it is well known to deliver media files of a television network by a television broadcaster. Paper No 20061124, page 4. From this, it is reasoned that it would be obvious to modify Knepper. It is respectfully submitted that Knepper teaches away from such a modification.

For example, Knepper is specifically directed to providing alternatives to traditional streaming method especially over the Internet so that media files can be downloaded from a server to a client. [0008]. Because a skilled artisan whom is reading Knepper would not be inclined to use traditional streaming methods such as streaming from a television broadcaster, Knepper teaches away from the suggested modification. Accordingly, obviousness has not been established. Reversal of the rejection is requested.

Under a similar analysis, obviousness has not been established for claim 84. Reversal of the rejection is requested.

6. Claim 86

Claim 86 indicates that an info segment is to be written on a transferable, recordable medium. To reject claim 86, the examiner relies on a modification of Knepper in view of Official Notice. Paper No. 20061124, page 9. This rejection is traversed.

As has been previously pointed out in this brief, Knepper is directed toward providing Internet users with a way of playing media files from the *Internet* without using traditional streaming methods. Namely, the media files are downloaded from a *server* to a client. Paragraph [0008]. To create a transferable, recordable media goes against the purpose of

Knepper—Knepper teaches away from such a modification. Thus, the reversal of the rejection of claim 86 is requested.

7. Claims 87, 88, and 90

Claim 87 indicates that a system is enabled to associate an interruption point indicator that identifies a play-specific condition with the info segment. To reject this claim the examiner asserts, “the interruption point specifier identifies a play specific condition with info segment.” Paper No. 20061124, page 9. It is respectfully submitted that the examiner has not established *prima facie* obviousness for this claim and claims 88 and 90.

First, the examiner has not provided any indication of why one of ordinary skill in the art would modify Knepper in view of Rosenberg for these claims. Second, aspects of Rosenberg are not believed to be prior art. And third, per Knepper, certain rules are associated with a text file for the advertisement, which is separate from the instruction set text file. Thus, there is no reason to modify Knepper’s instruction set in view of the Ad_type 506 described in the cited portion of Rosenberg. As *prima facie* obviousness has not been clearly established, reversal of the rejection of claims 87, 88, and 90 is requested.

B. Are claims 64, 67, 75-76, and 78 unpatentable under 35 U.S.C. § 103(a) over Knepper (US 2001/0042249) in view of Rosenberg (US 2002/0100041) and further in view of Zigmond (US 6,698,020)?

1. Claim 64

Claim 64 indicates that an electronic programming guide (EPG) is stored in a storage, and that the EPG has a program identifier and an associated info segment. Although Knepper does not store an EPG, the examiner asserts that Zigmond does. Paper No. 20061124, page 9. No reference to an EPG could be found in the cited passages of Zigmond.

For instance, in the cited passages Zigmond discloses an electronic program database 81 that includes program descriptions. These program descriptions may be used in conjunction with ad selection rules to match advertisement parameters. Column 11, lines 42-49. But there is no indication that the information in the database 81 is used to construct an EPG such that a user could select a program for viewing from the guide.

Thus, reversal of the rejection is requested as the examiner has failed to establish that Knepper in view of Rosenberg and Zigmond disclose the EPG of claim 64.

2. Claims 67 and 75

Claim 67 recites a transmitter to transmit an info segment to a receiver without a request. The examiner concedes that Knepper does not transmit his instruction set (alleged info segment) to a receiver without request. Paper No. 20061124, page 10. Thus, the examiner relies on Zigmond to cure the deficiency of Knepper.

In the Office action, the examiner asserts that Zigmond transmits ad rules for targeting to a receiver without request. *Id.* As such, it would be obvious to modify Knepper to push the info segment to the receiver to enable targeting of advertisements to television audiences. *Id.* It is respectfully submitted that this logic is the result of inappropriate hindsight reasoning.

For example, in Knepper's unassociated advertising model (UAM) a server will deliver a list of ads to a user, and the client system will download the ads in the list during periods of latent bandwidth. Knepper [0071]. The ads on the list are targeted to the user. *Id.* Each ad carries its own text file with a rule set for the ad. Knepper [0072]-[0077]. As Knepper already provides targeted ads during periods of latent bandwidth, it is not clear why one of ordinary skill in the art would be motivated to modify Knepper to push his instruction set for the same reason. Thus, it is submitted that *prima facie* obviousness has not been established. Reversal of the rejection is requested.

3. Claim 76

Claim 76 indicates that an info segment can be transmitted over an airwave. It is respectfully submitted that one of ordinary skill in the art would not be motivated to modify Knepper to transmit his instruction set over an airwave.

For example, Knepper is directed toward providing alternatives to traditional streaming method over the Internet so that media files can be downloaded from a server to a client. [0008]. Because one reading Knepper would not be inclined to use traditional streaming methods such as streaming from a television broadcaster, Knepper teaches away from the suggested modification. Accordingly, obviousness has not been established. Reversal of the rejection is requested.

4. Claim 78

Claim 78 indicates that an info segment may be delivered on a recordable medium. It is respectfully submitted that one of ordinary skill in the art would not be motivated to modify Knepper to deliver his instruction set on a recordable medium.

As is pointed out in section B. 3 of this brief, Knepper is directed toward providing Internet users with a way of playing media files from the *Internet* without using traditional streaming methods. Namely, the media files are downloaded from a *server* to a client. Paragraph [0008]. To create a transferable, recordable media goes against the purpose of Knepper—Knepper teaches away from such a modification. Thus, the reversal of the rejection of claim 78 is requested.

CONCLUSION

Applicant respectfully requests that each of the final rejections be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,



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CLAIMS APPENDIX

The claims on appeal are:

62. A system comprising:

a transmitter to transmit an info segment including a content identifier to specify one particular content item, said info segment also including an interruption point specifier to identify a condition that, if detected during the display of the particular content item, will cause the display of an advertisement to replace the display of said one particular content item, wherein prior to a use of the particular content item, the place in the content where the-replacement might happen, as a result of the detection of the condition during use of said one particular content item, is not known; and

a storage to store said info segment until said info segment is transmitted to a receiver.

63. The system of claim 62 wherein said storage to store an info segment including a plurality of fields, one field comprising said interruption point specifier, another field selected from the group consisting of a maximum interruption length specifier, a resume indicator, a permitted ad type specifier, a prohibited ad type specifier, and an ad lock; and

said transmitter to transmit said info segment separately from said particular content item.

64. The system of claim 62 wherein said storage to store an electronic programming guide having a program identifier and an associated info segment.

65. The system of claim 62 wherein said system is a television broadcaster.

66. The system of claim 62 wherein said transmitter to transmit said info segment to said receiver upon request.

67. The system of claim 62 wherein said transmitter to transmit said info segment to said receiver without a request.

68. The system of claim 62 including an info segment generator to insert a content identifier and an interruption point specifier in said info segment.

69. The system of claim 68 including an ad entry generator to insert said interruption point specifier in said info segment as an ad entry parameter, and to insert another ad entry parameter selected from the group consisting of a maximum interruption length specifier, a resume indicator, a permitted ad type specifier, a prohibited ad type specifier, and an ad lock.

70. The system of claim 62 including a receiver to receive said info segment from an external source.

71. A method comprising:

associating one info segment with one particular content item;

associating an interruption point indicator with said one info segment, the interruption point indicator to indicate a condition that, if satisfied, will cause an advertisement to be displayed in place of said one particular content item, the placement of any advertisement due to the satisfaction of said condition during play of said one particular content item not predetermined when said interruption point indicator is associated with said one info segment; and

delivering said info segment together with said interruption point indicator to a receiver.

72. The method of claim 71 including inserting a content identifier in said info segment, said content identifier to indicate the one particular content item with which said info segment is associated.

73. The method of claim 71 including inserting an ad entry in said info segment, said ad entry including said interruption point indicator and another ad entry parameter selected from the group consisting of a maximum interruption length specifier, a resume indicator, a permitted ad type specifier, a prohibited ad type specifier, and an ad lock.

74. The method of claim 71 including delivering said info segment in response to a request from a receiver, said delivery of said info segment other than with said one particular content item and said advertisement.

75. The method of claim 71 including pushing said info segment to a receiver.

76. The method of claim 71 wherein delivering said info segment includes transmitting said info segment over an airwave.

77. The method of claim 71 wherein delivering said info segment includes delivering said info segment over a packet-switched network.

78. The method of claim 71 wherein delivering said info segment includes delivering said info segment on a recordable medium.

79. A computer-readable medium storing instructions that are executed to enable a system to:

associate an info segment with a content item;

associate an interruption point indicator with said info segment, the interruption point indicator to identify a condition that is detectable during use of said content item and if detected will cause an advertisement to be displayed, otherwise, if the condition is not detected no advertisement will be displayed, the point at which any advertisement is displayed due to the detection of the condition unknown prior to the use of the content item; and

deliver said info segment including said interruption point indicator to a receiver.

80. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to insert a content identifier in said info segment, said content identifier to indicate the content item with which said info segment is associated.

81. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to insert an ad entry in said info segment, said ad entry including said interruption point indicator and another ad entry parameter selected from the group consisting of a maximum interruption length specifier, a resume indicator, a permitted ad type specifier, a prohibited ad type specifier, and an ad lock.

82. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to deliver said info segment in response to a request from a receiver.

83. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to push said info segment to said receiver.

84. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to transmit said info segment over an airwave.

85. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to deliver said info segment over a packet-switched network.

86. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to write said info segment on a transferable, recordable medium.

87. The computer-readable medium of claim 79 further storing instructions that are executed to enable the system to associate an interruption point indicator that identifies a play-specific condition with said info segment.

88. The system of claim 62 wherein said transmitter is to transmit an info segment including an interruption point specifier to identify a user-initiated pause as said condition.

89. The system of claim 62 wherein said system is a computer.

90. The method of claim 71 wherein associating an interruption point indicator with said one info segment includes associating an interruption point indicator that indicates that a user-initiated pause is said condition with said info segment.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.